

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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FILE COPY

STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
JOHN HUGH QUISLING, D.D.S.,	:	92 DEN 141
RESPONDENT.	:	

The parties to this action for the purposes of Wis. Stats. sec. 227.53 are:

John Hugh Quisling, D.D.S.
6602 University Avenue
Middleton, WI 53562

Wisconsin Dentistry Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. John Hugh Quisling (D.O.B. 6/15/40) is duly licensed in the state of Wisconsin as a dentist (license # 015 5000555). This license was first granted on June 17, 1968.

2. Respondent's latest address on file with the Department of Regulation and Licensing is 6602 University Avenue, Middleton, WI 53562.

3. According to the patient record, Respondent treated the dental condition of patient EL on the following occasions during the period August 27, 1990, through May 12, 1992:

August 27, 1990,
September 19, 1990,
February 5, 1992,
March 23, 1992,
March 30, 1992,
May 4, 1992,
May 12, 1992.

4. On August 27, 1990, respondent noted traumatic injury to the mouth of EL, a deep bite, loss of the lower first molars, loss of vertical dimension and mobility and tilting of teeth # 18, 31 and 32. Respondent further noted "this was aggravating his Class II overbite and resulting in ever increasing stress on the bicuspid and anterior teeth." Respondent took 4 bite-wing X-rays of the mouth of patient EL.

5. In March, 1992, Respondent prepared and placed temporary crowns on teeth 18 and 31.

6. On March 30, 1992, Respondent noted in the patient record of EL "a major occlusal interference pattern involving the right bicuspid. Functional movement to the right caused these teeth to move over 1mm buccally."

7. Respondent's treatment plan as noted in the patient record on March 30, 1992, was "reshaping of surfaces of the ceramic crowns of the upper right bicuspid to eliminate contacts that were causing the movement but that other teeth might also require similar adjustments to complete the procedure."

8. On May 4, 1992, Respondent "adjusted centric occlusal contacts removing prematurities and establishing a longer and wider centric occlusion at centric relation position." "Gross adjustment of the lateral and protrusive contacts to establish group function in right lateral excursions resolved most of the functional displacement."

9. On May 12, 1992, Respondent "finalized" the occlusal adjustment and took an impression of the lower arch for construction of a custom impression tray.

10. After May 14, 1992, patient EL sought assistance from another dentist due to discomfort and "not knowing where his bite belonged."

11. Respondent failed to use appropriate diagnostic aids, including full mouth radiographs and study models to evaluate the existing dental condition of patient EL, to determine the appropriate occlusal adjustment, or proper tooth treatment.

12. Respondent failed to formulate a comprehensive plan of treatment for the patient.

CONCLUSIONS OF LAW

By the conduct described above, John Hugh Quisling is subject to disciplinary action against his license to practice as a dentist in the state of Wisconsin, pursuant to Wis. Stats. sec. 447.07(3)(a) and (h), and Wis. Adm. Code sec. DE 5.02(1), (2) and (5).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that :

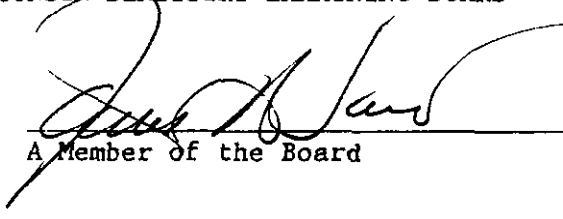
1. John Hugh Quisling is REPRIMANDED.
2. The license of Respondent to practice as a dentist in the state of Wisconsin is LIMITED in that Respondent shall within six (6) months of the date of this Order certify to the Dentistry Examining Board the successful completion of an approved course of instruction consisting of approximately 20 hours in dental diagnosis techniques and treatment planning. Marquette University School of Dentistry is an acceptable institution to provide instruction required by this Order. Respondent shall submit a course outline to the Board or its designee for approval within two (2) months of the date of this Order. To be acceptable the outline must contain the name of the institution providing the instruction, the name of the instructor, and the course content.
3. Respondent shall pay costs of the investigation and prosecution of this action in the sum of \$ 100.00 to the Department of Regulation and Licensing within sixty (60) days of the date of this Order.
4. In the event Respondent fails to timely comply with the education requirement set forth above, his license to practice shall be suspended, without further notice or hearing, until Respondent has fully complied with all of the terms of this Order.

5. The rights of a party aggrieved by this Decision to petition the Board for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information".

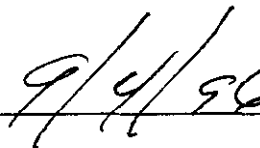
6. This Order shall become effective upon the date of its signing.

WISCONSIN DENTISTRY EXAMINING BOARD

By:


A Member of the Board

Date



jh

STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
JOHN HUGH QUISLING, D.D.S.,	:	92 DEN 141
RESPONDENT	:	

It is hereby stipulated between John Hugh Quisling, personally on his own behalf and James W. Harris, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

1. This Stipulation is entered into as a result of a pending investigation of Respondent's licensure by the Division of Enforcement. Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Respondent understands that by the signing of this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

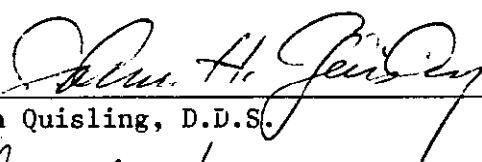
3. Respondent is aware of his right to seek legal representation and has been provided the opportunity to seek legal advice prior to signing this stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Dentistry Examining Board. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

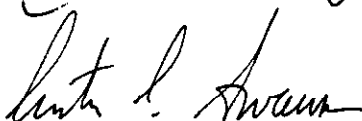
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this stipulation agree that the attorney for the Division of Enforcement may appear before the Dentistry Examining Board for the purposes of speaking in support of this agreement and answering questions that the members of the Board may have in connection with their deliberations on the stipulation.

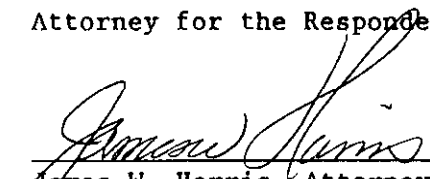
7. The Division of Enforcement joins Respondent in recommending the Dentistry Examining Board adopt this Stipulation and issue the attached Final Decision and Order.


John Hugh Quisling, D.D.S.

8/8/96
Date


Curtis C. Swanson
Attorney for the Respondent

8/9/96
Date


James W. Harris, Attorney
Division of Enforcement

August 15, 1996
Date

State Bar No. 1013219

Department of Regulation & Licensing

State of Wisconsin

P.O. Box 8935, Madison, WI 53708-8935
(608)

TTY# (608) 267-2416, hearing or speech
TRS# 1-800-947-3529, impaired only

GUIDELINES FOR PAYMENT OF COSTS AND/OR FORFEITURES

On September 4, 1996, the Dentistry Examining Board
took disciplinary action against your license. Part of the discipline was an assessment of costs and/or a
forfeiture.

The amount of the costs assessed is: \$100.00 Case #: 92 DEN 141

The amount of the forfeiture is: _____ Case #: _____

Please submit a check or a money order in the amount of \$ 100.00 6

The costs and/or forfeitures are due: November 3, 1996

NAME: John Hugh Quisling LICENSE NUMBER: 5000555

STREET ADDRESS: 6602 University Avenue

CITY: Middleton STATE: WI ZIP CODE: 53562

Check whether the payment is for costs or for a forfeiture or both:

X COSTS _____ FORFEITURE

Check whether the payment is for an individual license or an establishment license:

X INDIVIDUAL _____ ESTABLISHMENT

If a payment plan has been established, the amount due monthly is:

Make checks payable to:

DEPARTMENT OF REGULATION AND LICENSING
1400 E. WASHINGTON AVE., ROOM 141
P.O. BOX 8935
MADISON, WI 53708-8935

For Receipting Use Only

#2145 (4/95)

Ch. 440.22, Stats.

BEFORE THE STATE OF WISCONSIN
DENTISTRY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

JOHN HUGH QUISLING, D.D.S.,
RESPONDENT.

AFFIDAVIT OF SERVICE

Katie Rotenberg, being first duly sworn on oath deposes and states that she is in the employ of the Department of Regulation and Licensing, and that on September 5, 1996, she served the following upon the respondent and his attorney:

Final Decision and Order and Guidelines for Payment of Costs and/or Forfeitures dated September 4, 1996

by mailing a true and accurate copy of the above-described document, which is attached hereto, by certified mail with a return receipt requested in an envelope properly addressed to the above-named respondent and his attorney at:

John Hugh Quisling, D.D.S.
6602 University Avenue
Middleton, WI 53562
Certified P 213 148 412

Curtis C. Swanson, Attorney
2 E. Mifflin Street, Suite 200
P.O. Box 1767
Madison, WI 53701-1767
Certified P 213 148 413

an address which appears in the files and records of the Dentistry Examining Board as the respondent's last known address.

Katie Rotenberg
Katie Rotenberg
Department of Regulation and Licensing

Subscribed and sworn to before me

this 5th day of September, 1996.

Wayne D. Hoffman
Notary Public
Dane County, Wisconsin
My Commission is Permanent

NOTICE OF APPEAL INFORMATION

Notice Of Rights For Rehearing Or Judicial Review. The Times Allowed For Each. And The Identification Of The Party To Be Named As Respondent.

Serve Petition for Rehearing or Judicial Review on:

STATE OF WISCONSIN DENTISTRY EXAMINING BOARD

1400 East Washington Avenue

P.O. Box 8935

Madison, WI 53708.

The Date of Mailing this Decision is:

September 5, 1996

1. REHEARING

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in sec. 227.49 of the *Wisconsin Statutes*, a copy of which is reprinted on side two of this sheet. The 20 day period commences the day of personal service or mailing of this decision. (The date of mailing this decision is shown above.)

A petition for rehearing should name as respondent and be filed with the party identified in the box above.

A petition for rehearing is not a prerequisite for appeal or review.

2. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in sec. 227.53, *Wisconsin Statutes* a copy of which is reprinted on side two of this sheet. By law, a petition for review must be filed in circuit court and should name as the respondent the party listed in the box above. A copy of the petition for judicial review should be served upon the party listed in the box above.

A petition must be filed within 30 days after service of this decision if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30-day period for serving and filing a petition commences on the day after personal service or mailing of the decision by the agency, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing this decision is shown above.)